

WARNED NOT TO WED

Hotel Man Tells of Advice to Mrs. Charlton.

SUBJECT TO FITS OF RAGE

"She declared she was in love with Boy and felt convinced they would be happy," says Dr. Thomas J. Carney, of New York Hotel Where the Woman Lived.

New York, June 24.—Dr. Thomas J. Carney, of the Hotel Woodward, who was called in by Mrs. Mary Scott Castle Charlton before she married Porter Charlton, to-day told of his experience with the woman and of how he had vigorously urged her not to marry the young man, for the latter's sake.

"I had been treating her for some months," said Dr. Carney, "and she was in a highly nervous state, subject to frequent fits of rage. After she met Charlton she told me she was going to marry him, and I begged her not to do so.

"I told Mrs. Castle, as I knew her, that she was nearly twice Charlton's age; that she was in no physical condition to get married. As a last resort, I even went so far as to tell her that I thought she would ruin the young man's life if she married him.

Enraged by Advice. "But my protests had no effect. She declared she was in love with Charlton and felt convinced they would be happy. Finally, she flew into a rage, and told me to mind my own business. Then she flounced out of my office.

"My whole experience with the woman was peculiar. I was called to treat her when she lived at the Woodward in the latter part of last year. She was so unstrung, probably as a result of her attempt to shoot the lawyer, Craig, at the Waldorf—although I knew nothing of that incident at the time—that I urged her to go away for a time.

"She was plainly all broken up. She begged me to help her and then became abject in her self-accusations. She told me of her various troubles and said she wanted to reform. She declared that she wanted to change her life completely and become a nurse or a governess.

Convulsed Mrs. Fiedler. "I did not want to take the responsibility of getting her into a family either as nurse or governess. Indeed, I continued to urge her to go away for a time, and at last she did go to her sister's in Canada.

"After she had gone I consulted Mme. Fiedler, a philanthropic French woman, who had been doing much good for people in unfortunate conditions. Mme. Fiedler promised to think the matter over and see what could be done for the woman.

"I wrote to Mrs. Castle, but before the letter was well on its way she turned up in New York. I took her to see Mme. Fiedler. She told the latter all she had told me. That changed matters somewhat, for Mme. Fiedler was then also in doubt about the advisability of sending the woman into any family.

Attempts to End Life. "One day I was summoned to Mme. Fiedler's home to treat Mrs. Castle. She said she had taken arsenic to end her life. She was flushed, but there were no other evidences of attempted suicide. I believe the affair was intended to impress Mme. Fiedler.

"Mme. Fiedler thought the best thing for Mrs. Castle to do would be to go back upon the stage. Mrs. Castle went so far as to get a sketch which she intended to present in London. Rehearsal proved that the sketch was not apparently fitted for production. About that time Mrs. Castle met Charlton. That put an end to her intention of returning to the stage. A few days later she came back to the hotel and informed me that she had married Charlton in spite of my attempt to persuade her not to do so. The two went abroad shortly afterward."

CHARLTON EXTRADITION WOULD REQUIRE MONTHS.

Rome, June 24.—It is stated that the extradition formalities in the case of Porter Charlton will require three months. Hence Charlton is not likely to be brought to Italy before September. The government is determined to spare no effort to hasten the judicial investigation, which, unless the medical experts' examination is prolonged, may be concluded in 1911. Care is necessary, however, since if the procedure should be curtailed, the trial is apt to be declared illegal.

Eight years ago, in Genoa, a man named Oliver killed his wife, backed her body to pieces, stuffed the pieces into a trunk, and threw the trunk into the sea. The other case was that of Scipio Cifariello two years ago. He shot his wife in Naples and confessed the crime.

Both men employed prominent, eloquent lawyers, and both were acquitted. In both cases, when the prisoners were declared not guilty they received the applause of the public.

Verdict in Lancaster's Favor. In the recent case of Smith against Lancaster, before Judge Anderson, all the allegations in the bill of the plaintiff were disproven and a verdict was given in favor of the defendant. The plaintiff was employed in the law offices of C. C. Lancaster. The complaint was that Mr. Lancaster had concealed the records of the firm from him and had taken the funds of the firm for his own use.

MacGrath's Best Novel

A SPLENDID HAZARD

"A Splendid Hazard" is as delightful a love romance as any that has come from Harold MacGrath's fertile brain.

By HAROLD MACGRATH

Author of "The Man on the Box," etc.

Published by HOWARD CHANDLER CRISTY and HARRISON FISHER

New York The BOBBY-MERRILL COMPANY, Publishers Indianapolis

HOBBIES OF WASHINGTONIANS.

No. 10—Ira E. Bennett.

Yet in the cocoon stage is the hobby of Mr. Ira E. Bennett, a popular Washington editor. He has great, impatient, seemingly hopeless longing to own a second-hand bookstore; "and," he adds, "one where I can sit and watch the old books come in and not sell any."

"It is not ideal," he explained. "I like the atmosphere of the old bookstore—no hurry, no worry, everything quiet and serene. It is one satisfying life; no politics to bother and harass one through unsatisfied ambition, and no panics to be afraid of.

"You have the whole world and for centuries back at your finger tips, as it were. If you want history, live, politics, history that keeps you breathless at times, you have it right at your elbow; the surcease and comfort of literary delights you likewise have beside you; if you want politics, just reach up for Machiavelli and you have all the politics this world ever knew—more than is even indicated by present-day political strategy."

So a second-hand bookshop is Ira E.'s official designation of his hobby-to-be. However, the "newspaper guys" know, despite his more dignified position, he has not yet forgotten the lure of a tip or the cry of copy.

Give him his bookshop—his second-hand bookshop—then watch him forsake it for the call of a good story.

PLEA INSANITY.

Continued from Page One.

pose of determining this point. These gentlemen are to give as true a statement as possible without regard to anything except the truth."

When it was recalled to Senator Edwards that Mrs. Hamilton, Fisher, and Dana had figured in the Thaw case, Senator Edwards seemed to be rather put out. "This is not a sensational case like that," he remarked.

Apparently in Doubt. Beyond this statement the lawyers did not care to go to-day. It was evident that on the matter of extradition and the treaty with Italy they were up in the air somewhat. When Edwards was asked if an insane person could be extradited from his own country, he said:

"That is a question I wish you would put to the Attorney General at Washington."

Apparently no precedent was recalled to-day. Mr. Clarke, in an interview, was represented as saying that one of the experts had informed him that Charlton was undoubtedly a paranoiac and was suffering from either dementia precox or dementia adolescentia. He was also represented as saying that Charlton's mind seemed to be in a haze and that he didn't remember much about his crime.

Mr. Fuchs refused to say later whether he had been correctly quoted. He said that letters written before and after the marriage would have a most important bearing on the case, intimating that they were to help along the insanity plea. He was to be called before the United States commissioner.

Capt. Scott, the brother of Charlton's wife, said he was going to fight the case in court to the bitter end. The captain himself hired Lawyer Emil Fuchs, of this city, bright and early to-day, and with him went over to watch developments. Mr. Fuchs defended Mrs. Charlton when she was arrested for shooting Lawyer Craig before her marriage.

Telegraphs State Department. Mr. Fuchs telegraphed to the State Department, asking permission to intervene in the case against Charlton and to submit proof that the latter was not insane and should be returned to Italy to be tried. Mr. Fuchs said that the captain also had some letters. "We have one letter," he said, "written twenty-four hours before the murder, which will go a long way toward upsetting this insanity plea, I think. We also have other letters."

Mr. Fuchs refused to give out the letters written just before the crime, but he did make public a letter written by Charlton to the captain just after the marriage. This letter said:

"The lady and I are sailing the 15th of this month for Europe, to be gone for several years. Then we will return to this country and make our home in the West. It is quite evident that Marie should get out of this country, where she has lived such a lonely and unhappy life, and it is time that she should have a chance to forget its horrors."

The letter said that one of the reasons they were going abroad was because of the past unpleasantness, evidently referring to the attempt to shoot Lawyer Craig.

Capt. Scott has taken quarters at the Army and Navy Club, and made it plain to-day that he intended to oppose vigorously the plans of the defense.

"Insanity a Subterfuge." "I have retained Mr. Fuchs," said the captain, "simply to let the justice be done to the memory of my sister. She was brutally murdered, and I believe the man who murdered her is as sane as I am. This plea of insanity is a subterfuge, and is an attempt to thwart the ends of justice. I will spend every cent I possess to see my sister's memory gets justice."

He has applied for an indefinite leave of absence. According to the friends of Charlton, he is suffering from tuberculosis, and is affected mentally. They insist that he cannot live long any way, and should be allowed to die in his own country instead of in an Italian prison. On the other hand it is the contention of Mr. Fuchs that all this is for the trial court in Italy to consider, particularly the question of the prisoner's sanity, which, under the law, can be raised at the trial and at no other time.

So far as the Italian government authorities have been concerned, the extradition question seems to be perfectly plain sailing, and they profess to be

ITALY NOT TO ASK FOR COMO SLAYER

Case, However, Will Be Tried and Sentence Passed.

Rome, June 24.—Charlton's extradition will not be demanded unless the United States is willing to surrender him to Italy.

The question will be settled diplomatically through the Italian Ambassador at Washington. If Charlton is not surrendered a trial will, nevertheless, be held at Como in his absence.

The procedure will be simple. The court will merely examine the evidence that has been collected and the examining judge will award the maximum penalty, which is imprisonment for life.

Naturally, Charlton will not be entitled to any defense if he is absent from the trial.

Duty of the Court.

When the judicial investigation is concluded, according to the Italian law, the prisoner is presumed to be guilty, not innocent. Hence a prisoner is ordinarily cross-examined for the purpose of making him incriminate himself. If he confesses the crime the examining judge is bound to discover whether the confession is genuine. He also appoints medical experts with the object of ascertaining the mental condition of the prisoner.

The latter is entitled to the assistance of lawyers, who may likewise appoint experts. The investigation is secret and generally lasts about two years.

When the investigation is concluded the case is handed over to the King's procurator, who, after further examination, commits the prisoner to a trial by jury at the Assize court in the district where the crime was committed. The family of Mrs. Charlton will be entitled to be represented at the trial with the object of claiming damages in a separate civil court.

Maximum is Likely. Charlton is likely to be indicted for willful murder the penalty for which is life imprisonment; but if premeditation is excluded the penalty will be diminished, while if the man is proved to be of unsound mind he will be acquitted.

In cases of this kind in Italy extenuating circumstances and semi-madness are admitted as legitimate pleas. In this case, where a conviction is secured, the penalty varies from six to fifteen years at hard labor.

The prevailing impression here, based on experience in similar crimes of passion, is that if Charlton secures good lawyers he will secure a mild sentence of three or four years' imprisonment.

STATE DEPARTMENT RECEIVES NO DEMAND FOR CHARLTON'S RETURN.

The State Department and the Italian foreign office are engaged in diplomatic correspondence in regard to the question of extraditing Porter Charlton. No formal demand for Charlton's extradition to the Italian authorities has yet been received.

While officers of the department decline to discuss the situation, it is understood that the Italian Embassy in this city several weeks ago asked that Charlton be arrested if he was located in this country.

The department is anxious to ascertain whether or not the Italian government intends to make a formal request for Charlton's extradition. It is believed the present negotiations are for the purpose of ascertaining the attitude of the Italian government.

Neither Country Bound.

It is not believed here that the Italian foreign office will make a formal request for Charlton's extradition. There are several reasons, it was said, why such action is unlikely. The principal one is that Italy has always contended that neither party to the extradition treaty was required to surrender its own citizen.

The Italian penal code specifically forbids the extradition of an Italian citizen or subject to a foreign government. In view of this interpretation of the convention, Italy, it was pointed out, cannot consistently ask the United States to extradite Charlton to Italy for trial.

The Italian police, it was explained, have only a professional interest in the Charlton crime. The victim was an American, which, it was said, is likely to diminish the zeal of the Italian government in its effort to punish the criminal.

Same as Penal Code.

According to extradition experts, the treaty between the United States and Italy has the same effect as if it contained a provision specifically exempting citizens and subjects of each country from extradition to the other country. Under the Italian penal code, it was said, the Italian citizen cannot extradite one of its own citizens.

Although the United States has protested against this interpretation of the treaty, the convention is mutual and reciprocal. It cannot be interpreted so as to bind the United States to any greater degree than it is binding upon Italy.

The view of expert international lawyers is that the Italian position is identical in its effect as the extradition convention between the United States and Mexico, which contains a provision exempting citizens of either country from extradition.

Request May Be Denied.

If the Italian government decides to demand the extradition of Charlton, they say, it is probable the request will be denied because the State Department has uniformly declined to extradite its citizens to a foreign country which will not agree to take similar action.

On February 23, 1901, Mrs. Mary Inez McCabe, an American woman, was arrested by the sheriff of Nueces County, Tex., for extradition to Mexico, where she was charged with murder. Habeas corpus proceedings were instituted on her behalf in the United States Court.

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MAY GO FREE.

If Charlton is not extradited to Italy for trial, he will be released from custody, and will not be punished for the crime.

It is said both at the State Department and at the Department of Justice that he cannot be tried in this country for a crime committed abroad.

There would be no court having jurisdiction over the case, it was added.

for the Western District of Texas. After discussing the precedents in the case, the decision of the court said:

Decision of Court.

Thus it appears that, extending through a period of seventeen years, four different administrations of the Federal government have invariably held that no authority was conferred upon the Executive, by the sixth article of the treaty, either to demand by the Mexican authorities the extradition of their subjects committing crimes in this country, or to surrender an American citizen upon demand made by the republic of Mexico. Following the construction so consistently applied to the treaty, the executive department, whose appropriate duty it is to execute the treaty pursuant to its stipulations and statutory requirements, has uniformly refused to surrender our own citizens; and it may be well said, that to do so would be to the true construction of the treaty which the court freely admits is not entertained in the present case, this contemptuous and uniform interpretation "ought to turn the scale."

So far as the court is advised, there is but one opinion of the question by law writers and the executive department of our own country.

TROLLEY RIDE TO GREAT FALLS

Golden Cross Commandery No. 178

Plans for Outing Wednesday.

Meridian Commandery, No. 178, United Order of the Golden Cross, held a regular meeting and social session at Pythian Temple last night. There was a large attendance.

Miss Helen Tyler gave a vocal solo and was followed by Mrs. L. S. Bailey with a piano solo. Short addresses were made by Grand Commander John H. A. Fowler and George M. Gerhauser, grand herald.

The outing committee reported plans for a trolley ride to Great Falls Wednesday evening. Three special cars have been chartered and the members of the order and their friends will take the trip. It was also decided to organize a degree team and social club. Refreshments were served during the evening.

SLEEP ONLY FRACTURED.

Seven-months-old Boy Tumbles

Thirty Feet to Pavement.

If you were a seven-months-old child sleeping near a window in the second story in your home;

And if, in your sleep, you rolled over and tumbled out the window to the pavement thirty feet below;

And if all this happened at midnight, when your parents were asleep, what would you do?

Baird Harris, a negro baby, of 31 Marion court northwest, who did all these things, merely squealed. His squeals aroused the household and an immediate investigation was begun. The child was discovered in an alleyway, kicking and yelling lustily.

The frightened parents rushed the child to Freedmen's Hospital, where a hurried examination was made. No bones were broken and the child was practically unharmed. The infant was taken home after the physicians were satisfied that the only injury was a fracture of the child's sleep.

HITS RETIREMENT PETITION.

Newspaper Man Says Many Clerks

Signed Under Coercion.

John Boyle, a newspaper man of this city, has written a letter to the Senate Civil Service Committee charging that 85 per cent of the signatures to the pension and retirement petition were signed under coercion.

Mr. Boyle says the bill is not favored by more than 5 per cent of the government clerks, as it would mean a hardship to them to carry out its clauses. Mr. Boyle has been actively identified in departmental work in the city for many years.

DIAZ'S NEPHEW CANDIDATE.

Reported He Is to Be Elected Vice

President of Mexico.

Mexico City, June 24.—A stir has been created in political circles throughout the country by the report that Gen. Felix Diaz, nephew of President Diaz, is to be elected vice president at the election next Sunday.

It is asserted by those who are in close touch with inside political affairs that while Ramon Carron's name will be on the ticket for re-election for vice president, it is planned that Gen. Felix Diaz shall be voted for and declared elected.

Gen. Felix Diaz was given two months' leave of absence from his office of chief of police of this city last Monday.

HARTJE GETS DIVORCE.

But Decree Gives Wife Income and

Custody of Girl.

Pittsburg, June 24.—A compromise has been reached in the famous divorce suit of Millionaire Augustus Hartje against his wife on the ground of desertion.

It was learned to-day that the divorce has been prepared giving Mrs. Hartje an income from \$10,000, she waiving all dower rights. The son Scott goes to the father, while the mother retains the girl.

ROOSEVELT WILL ATTEND.

Promises Pinchot He Will Be Guest

of Conservationists.

New York, June 24.—Thomas R. Shipp, secretary of the National Conservation Congress, announced to-night that President Roosevelt to-day promised Gifford Pinchot, president of the congress, that he would attend the meeting of the congress at St. Paul on September 6.

The date for the meeting has been awaiting Mr. Roosevelt's convenience. It is now established for September 6 to 9, so that Mr. Roosevelt will be present on the opening day. Col. Roosevelt issued the first call for conservation congress at the White House two years ago.

Negro Dies in Patrol Wagon.

William Evans, twenty-eight years old, negro, residing at 194 K street north-west, died in a patrol wagon while being taken to Georgetown Hospital at midnight last night. Evans had been arrested for intoxication and was taken ill in the Seventh precinct station.

Packet Virginia Floated.

Wheeling, W. Va., June 24.—The steamer Virginia has been floated after lying in a cornfield at Willow Grove since Monday, March 5, when, during a flood, the pilot mistook a light in a residence for a government guide light.

Dr. Murray Is Called.

Lafayette, Ind., June 24.—The Rev. L. E. Murray, of Washington, D. C., has accepted the pastorate of the Central Christian Church at Anderson, Ind. The pastorate has been vacant for several months, and Mr. Murray will begin his labor at once.

Aviator Seymour Injured.

Providence, June 24.—Joe Seymour, the aviator, who was scheduled to give an exhibition at Narragansett, R. I., tomorrow, crashed into a post during a trial flight late this afternoon, smashed his biplane, and was painfully injured.

Let Us Have That Order To-day

We're pretty busy—these two special offerings have brought us many responses—from old customers who know what Gatchell Tailoring and Van Doren cutting is—and new ones who want to test us.

\$35.00 Suits—\$30.00

\$30.00 Suits—\$25.00

We guarantee what we do, you know. "Fit or No Pay"—and "no deposit." No question about your being satisfied.

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